

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Brian Maguire

Appl. Ser. No.:

Examiner:

Filed: 07/21/03

Group Art Unit:

For: MUNITIONS MINES

Mail Stop Petitions

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

PETITION TO MAKE SPECIAL UNDER M.P.E.P. §708.02(XI)

Pursuant to 37 C.F.R. §1.102(c) and M.P.E.P. §708.02(XI), Applicant respectfully petitions to have the above entitled matter taken up for examination out of order on the grounds that the subject matter thereof bears directly on the security of the United States and its ability to defend itself from terrorist attacks, both domestic and foreign. The invention provides means to turn the weapons of the terrorists, or enemy forces in general, against that enemy itself, and bring about enemy casualties even as that enemy had set out to bring casualties to U.S. and friendly forces, or more particularly civilians. Implementation of this invention will save the lives both of U. S. civilians and armed forces, enable the U. S. military to be more effective in combating terrorists engaged in asymmetric warfare, and hasten the course of the war on terrorism.

"International terrorism" is defined by 18 U.S.C. § 2331 as follows:

As used in this chapter -

(1) the term "international terrorism" means activities that -

(A) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State;

(B) appear to be intended -

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by mass

- destruction, assassination, or kidnapping; and
- (C) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum;
- (2) the term "national of the United States" has the meaning given such term in section 101(a)(22) of the Immigration and Nationality Act;
- (3) the term "person" means any individual or entity capable of holding a legal or beneficial interest in property;
- (4) the term "act of war" means any act occurring in the course of -
- (A) declared war;
 - (B) armed conflict, whether or not war has been declared, between two or more nations; or
 - (C) armed conflict between military forces of any origin; and
- (5) the term "domestic terrorism" means activities that -
- (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;
 - (B) appear to be intended -
 - (i) to intimidate or coerce a civilian population;
 - (ii) to influence the policy of a government by intimidation or coercion; or
 - (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and
 - (C) occur primarily within the territorial jurisdiction of the United States.

Against those kinds of threats, the preferred embodiment of the invention, in the form of ammunition and grenades, or munitions generally, will afford to the United States military, and that of other friendly forces, the ability to render useless a range of enemy ammunition supplies and supply chains, and at the same time to inflict significant casualties on enemy forces, by the

surreptitious introduction into such supplies and supply chains of modified versions of munitions (ammunition, grenades, etc.) that are designed either to act with special violence, or to act prematurely so as to cause casualties among enemy rather than among friendly forces as would have been intended by the enemy, where by "enemy" is meant opposing combat forces in a traditional field of battle in warfare; "guerrilla" forces in less traditional forms of combat; terrorists or insurgents individually and collectively, whether acting against the United States or against countries friendly to the United States, or conversely personnel of a foreign power that is acting against its own citizens whom the United States has undertaken to protect; criminal opportunists seeking advantage at a time of political and/or social upheaval, or any other similar type of asymmetric conflict, where by "asymmetric conflict" is meant any kind of small force opposition against the conventional military forces of the United States or of a friendly country.

A principal goal of any of these kinds of conflict is that of attrition of the enemy forces to the advantage of the United States and friendly countries, whether by inflicting actual casualties or by otherwise rendering those enemy forces ineffectual. The tactics of asymmetric warfare have been seen to include "suicide bombings," sniping, "hit and run," the firing of grenades at U. S. check points in Iraq, and similar such means by which a small force can harass a larger one and thereby inflict almost daily casualties, not for the purpose of "winning" the war but principally, in the words of the above-cited statute, "to intimidate or coerce a civilian population" (i.e., the American public) and "to influence the policy of a government by intimidation or coercion," i.e., to intimidate the United States into "giving up and going home." In pursuit of their tactics, the criminal and pro-Sadaam forces in Iraq have attempted to steal back captured arms stocks from the coalition forces, which provides an excellent opportunity besides those methods of applying the invention that are set out in the application to put the invention into effect – it is only necessary to "seed" those arms stocks with instances of the invention and then allow them to be stolen back. An enemy that does not know whether or not its ammunition, grenades, and other munitions will perform as intended, or may instead explode with excessive violence or prematurely so as to inflict casualties on those enemy forces themselves, will effectively have been "removed from the battlefield" in the sense of having been rendered harmless, at least for some temporary period of time, to the United States, to its coalition partners, and to other allies. It is critically important, in the course of this "War on Terror," to bring to the field as soon as possible any new and innovative battle tactics or implements that will tend to advance the cause of this war, hence it is respectfully submitted that it is of significant interest to the United States to make special the above entitled patent application, and to advance the examination thereof,

so as to provide the kind of economic protection that would aid in the elicitation of the capital investment that would more rapidly bring this invention to the market place. The necessary fee for this petition under 37 C.F.R. § 1.17(h) of \$130 is enclosed herewith.

Respectfully submitted,



William S. Lovell
Reg. No. 31,978

6435 N. E. Neptune Dr.
Lincoln City, OR 97367-9456
Phone: (541) 994-5868
FAX: (541) 994-5456
email: wsl@cerebalaw.com

July 21, 2003